



# Town of Davie

## Department of Human Resources Management

6591 Orange Drive, Davie, Florida 33314-3399  
www.davie-fl.gov  
954.797.1100

### TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

**AGENDA DATE:** January 21, 2004

**To:** Mayor and Councilmembers

**FROM/PHONE:** Mark Alan, Director of Human Resources Management (954) 797-1169

**PREPARED BY:** Mark Alan

**SUBJECT:** Resolution ratifying the Letter of Understanding (LOU) between the Town and International Association of Firefighters (IAFF), Local 2315, regarding promotional selection processes and the announcement thereof

**AFFECTED DISTRICT:** Not Applicable

#### TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING THE LETTER OF UNDERSTANDING BETWEEN THE TOWN OF DAVIE AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 2315, REGARDING; PROMOTIONAL SELECTION PROCESSES AND THE ANNOUNCEMENT THEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

#### REPORT IN BRIEF:

The subject agenda item, concerns the ratification of a Letter of Understanding (LOU) between the Town of Davie and International Association of Firefighters (IAFF), Local 2315, regarding promotional selection processes and the announcement thereof, a copy of which is attached as Exhibit "A".

This LOU settles and forecloses IAFF Local 2315 grievances associated with the announcement of promotional selection processes.

The membership of IAFF Local 2315 voted to ratify this LOU on January 15, 2004; and the LOU has been executed by IAFF, Local 2315 President James Bunce and Town Administrator Thomas J. Willi.

Pursuant to Florida Statute, in order to be binding on a public employer, a LOU that modifies a CBA must be ratified by the public employer. Although the subject LOU does not modify the CBA, the subject resolution is being brought before Town Council for formal ratification via resolution at the request of the IAFF Local 2315 representatives. This LOU is beneficial to the Town and to the membership of IAFF Local 2315, therefore staff has concurred with the IAFF representative's request to bring this resolution before Town Council, and recommends approval of the resolution.

**PREVIOUS ACTIONS:** None  
**CONCURRENCES:** Not Applicable  
**FISCAL IMPACT:** None

Has request been budgeted? Not Applicable

Account Name: Not Applicable

**RECOMMENDATIONS:** Motion to approve the Resolution

#### Attachment(s):

- Resolution
- Exhibit "A"

cc: Thomas J. Willi, Town Administrator  
Ken Cohen, Assistant Town Administrator

Russell Muniz, Town Clerk  
Donald DiPetrillo, Fire Chief

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING THE LETTER OF UNDERSTANDING BETWEEN THE TOWN OF DAVIE AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 2315, REGARDING PROMOTIONAL SELECTION PROCESSES AND THE ANNOUNCEMENT THEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie and International Association of Firefighters, Local 2315, each understand that clear and effective announcement of promotional selection processes is beneficial to the Town and to the membership of International Association of Firefighters, Local 2315; and

WHEREAS, in order to settle and forecloses IAFF Local 2315 grievances associated with the announcement of promotional selection processes, the Town of Davie and IAFF Local 2315, have mutually developed a Letter of Understanding, attached hereto as Exhibit "A"; and

WHEREAS, the membership of International Association of Firefighters, Local 2315, on January 15 2004, voted to ratify the Letter of Understanding between the Town of Davie and IAFF, Local 2315; and

WHEREAS, said Letter of Understanding has been executed by International Association of Firefighters, Local 2315 President James Bunce and Town Administrator Thomas J. Willi; and

WHEREAS, it is in the best interest of the Town of Davie to ratify said Letter of Understanding; and

WHEREAS, it is recommended that the Town Council of the Town of Davie ratify said Letter of Understanding.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie does hereby ratify the Letter of Understanding between the Town of Davie and International Association of Firefighters, Local 2315, attached hereto as Exhibit "A".

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of the Resolution.

SECTION 3. This resolution shall take effect immediately its passage and approval.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004



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January 13, 2004

Davie Professional Firefighters  
International Association of Firefighters,  
Local 2315  
P.O. Box 291735  
Davie, FL 33329

RE: Letter of Understanding - Promotional selection processes and the announcement thereof

The Town of Davie and the Davie Professional Firefighters, International Association of Firefighters (IAFF) Local 2315 hereby agree to the following:

1. After December 17, 2003, minimum requirements for all promotional job classifications covered by the collective bargaining agreement (CBA) between the Town of Davie and the International Association of Firefighters (IAFF) shall be met by the closing date (deadline) of the application acceptance period.
2. The Town will continue to proceed with the scheduled Driver/Engineer promotional selection process as indicated in the promotional announcement for said job classification with the previously mentioned closing date amendment.
3. The Town will announce the Fire Lieutenant promotional selection process with a closing date in April 2004 by no later than sixty (60) days from December 17, 2003.
4. The Town will resume the Fire Captain promotional selection process by no later than ninety (90) days from December 17, 2003.
5. In accordance with Article 25 of the CBA between the Town of Davie and the IAFF, it is the intent of the Town of Davie to establish a schedule for future promotional selection processes wherein certain job classification eligibility lists will be established in alternate years such as the establishment of the Driver/Engineer list in odd years and that of Fire Lieutenant in even years. This may require the establishment of a new eligibility list prior to the expiration of a current eligibility list. However, the current eligibility list must be exhausted pursuant to Article 25 Section 5 of the CBA prior to promotions being made from the newly established eligibility list. (see attached timeline)
6. Actions enumerated in this Letter of Understanding (LOU) have no retroactive ramifications prior to December 17, 2003.
7. Provisions of this agreement have been developed in order to address matters associated with IAFF Local 2315 grievance #10-22-03-WAL, grievance # 11-25-03-DUN, and class action grievances #8-22-03-CA and #s1-12-04-CA(1)&(2). Therefore, this Letter of Understanding (LOU) settles and forecloses IAFF Local 2315 grievance #10-22-03-WAL, grievance # 11-25-03-DUN, and class action grievances #8-22-03-CA and #s1-12-04-CA(1)&(2) for all contractual and legal purposes.

This Letter of Understanding is hereby agreed upon and consented to by the Town of Davie and the Davie Professional Firefighters, International Association of Firefighters, Local 2315 on January 15, 2004.

By

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James S. Bunce, President Local 2315  
International Association of Firefighters

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Thomas J. Willi, Town Administrator  
Town of Davie



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### TIMELINE FOR FIRE/RESCUE PROMOTIONAL SELECTION PROCESSES

Fiscal Year	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
<b>2003/04</b> (even yrs beginning Jan)	Post DE		Close DE  DE Writ	DE Perf  Post LT		Establish DE 2yr E List Close LT Capt Asses	LT Writ  Establish Capt 2yr E List	LT Asses	Establish LT 2yr E List			
<b>2004/05</b> (odd yrs beginning Jan)				Post DE		Close DE	DE Writ	DE Perf	Establish DE 2yr E List	Post Capt		Close Capt
<b>2005/06</b> (even yrs beginning Jan)	Capt Writ	Capt Asses	Establish Capt 2yr E List	Post LT		Close LT	LT Writ	LT Asses	Establish LT 2yr E List			
<b>2006/07</b> (odd yrs beginning Jan)				Post DE		Close DE	DE Writ	DE Perf	Establish DE 2yr E List	Post Capt		Close Capt

Asses = Assessment component(s)

Capt = Fire Captain

DE = Fire Driver Engineer

E List = Eligibility list

LT = Fire Lieutenant

Perf = Performance Test

Writ = Written test